IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15103 of 2005

Between:

T. Aravinda Babu S/o T. Uttanna
R/o H. No. 5-4, Temple Street, Kadiri, Anantapur District

..... PETITIONER

AND

1. Government of Andhra Pradesh, Rep by Secretary, Department of Municipal Administration & Urban Development, Secretariat, Hyderabad
2 Superintending Engineer, Public Health Department, Anantapur District
3 Kadiri Municipality, rep by Commissioner, Anantapur District
4 Sri Jonna Ramaiah MLA Kadiri, Anantapur District
5 M/s. K.C.V.R. Constructions, rep by Jaganmohan Reddy, Kadiri, Anantapur district.
6 M/s. Rakesh Constructions, rep by Mr. Raghuram Chowdary, Kadiri, Anantapur District
7 Mr. Adinarayan Reddy, Contractor, Kadiri, Anantapur District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus by declaring the impugned tender notice dt 24-06-2005 bearing No. APURMSP/923/2005/E1 to the extent of including C.C. pavements, C.C. Drains and R.C.C. Culvert works in the package along with B.T. Road works, as illegal, arbitrary

and unconstitutional.

Counsel for the Petitioner: MR.B.VIJAYSEN REDDY

Counsel for the Respondent Nos. 1 & 2: Government Pleader for Municipal Administration.

Counsel for the Respondent No.3: MR.S.I.NEWTON

Counsel for the Respondent Nos. 4 to 7: --N.P.--

The Court, at the stage of admission, made the following:

Oral order: -

This writ petition is filed challenging the tender notice dated 24-06-2005 issued by the 3rd respondent-Municipality inviting tenders for providing B.T. Roads, C.C. Pavements, C.C. Drains and R.C.C. Culverts within the Kadiri municipal area from the eligible registered Civil Contractors registered as per G.O.Ms.No. 178 I & CAD (PW) dated 27-09-1997; G.O.Ms.No. 132 T.R. & B dated 11-08-1998, G.O.Ms.No. 8 T.R. & B dated 08-01-2003 and G.O.Ms.No. 94 I & CAD dated 01-07-2003 fixing the last date of receipt of the tenders on 11-07-2005 at 1-00 P.M., and opening of sealed tenders on 11-07-2005 at 3-00 P.M.

The petitioner contends that the small contractors will be deprived of their chance in participating the tenders, in view of the fact that offering of tenders in a package manner and inviting tenders only from the particular grade or class of contractors at the instance of the 4th respondent. The petitioner has not produced any material in support of his allegations. More-over, this writ petition has been filed on 12-07-2005 after the last date for opening of sealed tenders.

In the facts and circumstances of the case, as the tenders were opened, I am unable to interfere with the impugned tender notice. Accordingly, the writ petition is dismissed. No costs.

ELIPE DHARMA RAO,J

Dt. 13-07-2005

Pvks/*

To

1. The Secretary, Department of Municipal Administration & Urban Development, Government of Andhra Pradesh, Secretariat, Hyderabad

2. The Superintending Engineer, Public Health Department, Anantapur District
3. The Commissioner, Kadiri Municipality, Anantapur District
4 Sri Jonna Ramaiah MLA Kadiri, Anantapur District
5. 2 CCs., to the learned Government Pleader for Municipal Administration, A.P. High Court Buildings, Hyderabad (OUT).

6. 2 CD copies

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